

APPENDIX H: TRAILS POLICY

SAN LUIS OBISPO COUNTY TRAILS POLICY

Approved by Board of Supervisors
June 26th, 1990

Source: "San Luis Obispo County Trails Plan", approved by Parks & Recreation Commission October 17, 1991; Approved by Board of Supervisors November 26, 1991.

CATEGORY I ROUTING:

- A.** To route public trails over public lands whenever possible, using the specific physical/operational criteria listed in Category II as a general means of prioritizing development. Where public lands are not available, or where significant environmental or economic impacts are identified, routing across private property may be considered only in the following instances:
 - 1.** As funds are available, across those lands where a willing-seller has been identified; provided that sufficient funds are available for on-going maintenance and the assumption of liability responsibility and insurance for as long as the public trail shall exist.
 - 2.** As a condition of approval in conjunction with a significant development proposal or subdivision, excluding lands which remain in active agricultural production, i.e., crop production and grazing, nursery specialties, and specialized animal facilities, as defined by the Land Use Element; provided it can be clearly shown that the easement dedication being sought is in balance with the level of development being proposed.
- B.** To fully indemnify, protect and hold harmless (including all costs and attorney's fees) private property owners who dedicate or grant a public trails easement from, and against, those risks and damages which arise out of the usage of the trail easement by the public and which, in good conscience, should not be borne by the private property owner.
- C.** To assure that if, for any reason, the public trail easement is abandoned, or if the liability acceptance is discontinued, the trail easement shall revert to underlying property owner(s).

D. To assure the reasonable protection of adjacent public and private properties. Security to protect the neighboring private property may include:

- 1.** Trail fencing to encourage the prevention of trespass of trail users onto neighboring land and/or the activities of the neighboring land uses, from infringing on the trail activities.
- 2.** As necessary, the imposition of enforceable limitations on the trail use; including, but not limited to, the posting of rules and regulations, patrolling to guarantee the security of both the trail users and neighboring properties, and/or the prohibition of firearms on the trails.
- 3.** Where feasible a system of permits to assure that the user knows and understands the safe and appropriate use of county trails.

CATEGORY II PRIORITIZING:

It is the policy of San Luis Obispo County to prioritize the development of public trails on the basis of nine specific physical/operational criteria. These criteria are listed below. Each is assigned a potential 10 points, resulting in a total possible point value of 90. The number of points assigned under each criteria may vary from zero to ten, depending upon the specific characteristics of a proposed trail. Trails achieving the greatest total point value under these criteria, will be afforded first priority for detailed planning and development.

It is important to note that the numerical rating of any trail proposal is highly subjective and is intended only to provide a means of separating the low from the high priority proposals. These ratings are not intended to be the sole means by which trails of roughly equal value are prioritized and/or funded.

When a ranking is to be completed on future unranked trails, input shall be requested from the San Luis Obispo County Agricultural Liaison Committee as to an appropriate ranking for Section 6--Environmental Impacts, and Section 9--Environmental and Other Land-Use Impacts.

Any trail proposed for development, must have the existing land use category clearly identified. The identification of the land, as Public Lands or Recreational, will increase the priority for the proposed trail.

1. Trail Purpose: 0-10 points

- A. Provides a key connection within a statewide or regional trail system to existing State, County, Municipal, Public facilities, or the National Forest lands within the county.
(Suggested ranking--10 points)
- B. Provides a loop trail that may be accessed within a day-hike by normal hikers with a return trip.
(Suggested ranking--5 points)
- C. Provides a single-strand, "stand-alone" trail facility for general public use.
(Suggested ranking--0 points)

2. Estimated Public Use: 0-10 points

Estimated public use in visitor use days/year. Both immediate and future estimated use shall be accounted as follows:

Estimated Immediate Use = _____ v.u.d. year
+ Estimated Future (10 Yrs) Use = _____ v.u.d. year
= Total Estimated Immediate & Future Use _____ v.u.d. year

Assign 1 point/2000 Total Estimated and Future v.u.d./Year to a Maximum of Ten Points.

3. Anticipated Mix of Users: 0-10 points

- A. Handicapped (may include any of the other three types of users).
(Suggested Ranking--10 points)
- B. Multiple use except handicapped (may include equestrians and/or bicycles together with hikers).
(Suggested Ranking--5 points)
- C. Single-use only (e.g. hikers).
(Suggested Ranking--0 points)

4. Trail Features: 0-10 points

- A. Provides an outstanding scenic experience.
(Suggested Ranking--10 points)

- B. Traverses unique terrain with moderate scenic values.
(Suggested Ranking--5 points)
- C. Provides pleasant scenery, but no outstanding or unique natural features.
(Suggested Ranking--0 points)

5. Accessibility: 0-10 points

- A. Readily accessible to urban residents without travel.
(Suggested Ranking--10 points)
- B. Accessible to urban residents within 10 miles or 15 minutes travel time.
(Suggested Ranking--5 points)
- C. Accessible outside 10 miles/15 minutes.
(Suggested Ranking--0 points)

6. Environmental Impacts: 0-10 points

- A. No significant environmental effects.
(Suggested Ranking--10 points)
- B. Potentially significant effects, but can be mitigated at reasonable expense.
(Suggested Ranking--5 points)
- C. Mitigation measures very costly, or of questionable effectiveness.
(Suggested Ranking--0 points)

7. Cost of Development (Including Acquisition Cost): 0-10 points

- A. Trail exists or is almost ready to go with no capital expenditures necessary.
(Suggested Ranking--10 points)
- B. Physical improvements and/or capital expenditures are minimal.
(Suggested Ranking--5 points)
- C. Physical improvements and/or capital expenditures are considerable.
(Suggested Ranking--0 points)

8. Cost of Maintenance: 0-10 points

- A. Estimated County costs for maintenance are minimal.
(Suggested Ranking--10 points)

B. Estimated County costs for maintenance are moderate.
(Suggested Ranking--5 points)

C. Estimated County costs for maintenance are high.
(Suggested Ranking--0 points)

9. Agricultural and Other Land-Use Impacts: 0-10 points

A. No impacts.
(Suggested Ranking--10 points)

B. Moderate impacts, mitigated by trail design, maintenance and security.
(Suggested Ranking--5 points)

C. Severe impacts, no acceptable means of mitigation available.
(Suggested Ranking--0 points)



Photo Courtesy of Lon Allen, Atascadero News

AGRICULTURAL AND OTHER LAND USE IMPACTS

1. **SECURITY** There may be a rise in rural crime, including theft, vandalism, and burglary, requires that appropriate protection measures are instituted to protect adjacent agricultural lands.

Security mitigation measures may include, fencing, buffer, set-backs, prohibition of firearm use, trail patrolling, hours of trail operation, and the posting of specific rules and regulations for trail use.

Mitigation measures must also include provisions for the closure of troublesome or hazardous trails.

2. **SAFETY** The need to protect the environment, adjoining private property and trail users is of extreme importance. Safety requires protection of adjacent lands from impacts such as imported trail user contaminants, fire, erosion, sanitary concerns and other natural and man-made hazards.

Safety mitigation measures may include, buffering of trails from agricultural lands, creation of appropriate fuel breaks, installation of adequate sanitation facilities, and adequate law enforcement.

Mitigation measures must also include provisions for appropriate notification and actions, when standard and customary agricultural practices, fire concerns, or other health hazards, temporarily conflict with the normal use of the trails.

3. **LIABILITY** With the increase in liability activity in the courts today, it is important to provide maximum protection for agricultural land adjacent to public trails.

Liability mitigation measures should include protection of the agriculturalist and agricultural operation from legal actions, on the part of trail users. Such actions may result from accidents where standard and customary agricultural operations, equipment, or natural and man-made facilities could be considered an attractive nuisance under the law.